

## UNITED STATES DISTRICT COURT

for the  
Western District of Washington

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CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT TACOMA

In the Matter of the Search of  
(Briefly describe the property to be searched  
or identify the person by name and address)  
Info associated with loancenter1@aol.com that  
is stored at premises controlled by AOL, Inc.

Case No. MJ15-5191

## APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Please see Attachment A  
located in the Western District of Washington, there is now concealed (identify the person or describe the property to be seized):

Please see Attachment B for items to be seized.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;  
☒ contraband, fruits of crime, or other items illegally possessed;  
☒ property designed for use, intended for use, or used in committing a crime;  
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:


Code Section  
18 U.S.C. § 1343; 18 U.S.C. § 1028A;  
and 18 U.S.C. § 1956(h)

Offense Description  
Wire Fraud; Aggravated Identity Theft;  
and Money Laundering

The application is based on these facts:

Please see Affidavit of Samule A. Mantz, Federal Bureau of Investigation (FBI)


- ☒ Continued on the attached sheet.  
☐ Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

  
\_\_\_\_\_  
Samule A. Mantz, Special Agent (FBI)  
Printed name and title

Sworn to before me and signed in my presence.

Date: 10/30/2015

City and state: Tacoma, Washington

  
\_\_\_\_\_  
J. Richard Crestura, United States Magistrate Judge  
Printed name and title

1  
2 **AFFIDAVIT**  
3

4 STATE OF WASHINGTON )  
5 ) ss  
6 COUNTY OF KING )

7 I, Samuel A. Mautz, being first duly sworn, depose and state as follows:  
8

9 **INTRODUCTION AND AGENT BACKGROUND**

10 1. I am a Special Agent (SA) with the Federal Bureau of Investigation (FBI)  
11 currently assigned to the Vancouver, Washington Resident Agency of the Seattle,  
12 Washington Division of the FBI, and have been so employed for four years. Previously I  
13 was assigned to Pierre, South Dakota Resident Agency of the Minneapolis, Minnesota  
14 Division of the FBI. I have investigated Indian Country crimes to include white collar  
15 crimes, public corruption and violent crimes against children. In the past I have conducted  
16 investigations in conjunction with the South Dakota Crimes Against Children Task Force. I  
17 was also assigned to the South Dakota Safe Trails Drug Enforcement Task Force. During  
18 my investigations I have previously authored and/or participated in the execution of  
19 numerous search warrants, seizure warrants, arrests and/or trials. My duties in the past  
20 included planning the execution of the warrants, securing and searching the premises, seizing  
21 documents, records and other evidence, interviewing witnesses and preparing for trial.

22 2. I make this affidavit in support of an application for a search warrant for  
23 information associated with the subject email account "loancenter1@aol.com" that is stored  
24 at premises controlled by AOL, Inc. (AOL), an e-mail provider headquartered at 22000 AOL  
25 Way, Dulles, VA 20166. The information to be searched is described in the following  
26 paragraphs and in Attachment A. This affidavit is made in support of an application for a  
27 search warrant under 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A) to require  
28 AOL to disclose to the government copies of the information (including the content of  
communications) further described in Section I of Attachment B. Upon receipt of the

1 information described in Section I of Attachment B, government-authorized persons will  
2 review that information to locate the items described in Section II of Attachment B.

3 3. The facts set forth in this Affidavit are based on my own personal knowledge;  
4 knowledge obtained from other individuals during my participation in this investigation,  
5 including other law enforcement officers; review of documents and records related to this  
6 investigation; communications with others who have personal knowledge of the events and  
7 circumstances described herein; and information gained through my training and experience.  
8 Because this Affidavit is submitted for the limited purpose of establishing probable cause in  
9 support of the application for a search warrant, it does not set forth each and every fact that I  
10 or others have learned during the course of this investigation.

11 4. Based on my training and experience and the facts as set forth in this affidavit,  
12 there is probable cause to believe that violations of 18 U.S.C. § 1343 (wire fraud), 18 U.S.C.  
13 § 1028A (aggravated identity theft), and 18 U.S.C. § 1956(h) (money laundering conspiracy)  
14 have been committed by Mary Gilmore and Robin Thompson. There is also probable cause  
15 to search the information described in Attachment A for evidence, instrumentalities,  
16 contraband or fruits of these crimes further described in Attachment B.

#### 17 THE INVESTIGATION

18 5. As discussed below, the subject email account was used as an instrumentality  
19 to commit a fraudulent scheme whereby the perpetrators of the scheme used a fraudulent  
20 email to induce [REDACTED] to transfer \$241,000. A portion of those funds were then  
21 moved through multiple accounts to the benefit of the targets of this investigation, Mary  
22 Gilmore and Robin Thompson.

23 6. On February 19, 2015, I interviewed "D.R.", controller for [REDACTED]  
24 [REDACTED] [REDACTED] advised that he went into work on January 27, 2015 and saw that he had  
25 received an email from who appeared to be "M.H.", Chief Financial Officer of [REDACTED]  
26 [REDACTED] The email instructed D.R. to arrange for a wire transfer of  
27 approximately \$241,000 to a specified bank account. The email included what appeared to  
28 be a forwarded message from "K.C.", Chief Executive Officer of Papa Murphy's

1 International. [REDACTED] took the email and the information contained therein and arranged for the  
2 wire transfer as requested in the email.

3 7. The email contained personal information of D.R. and M.H. including their  
4 names, positions within the company, and their email addresses. However, the actual  
5 account that the fraudster used to communicate with D.R. was from the domain name  
6 [REDACTED] instead of "[REDACTED]". The alteration to the domain  
7 name was so slight and the content of the email itself was so convincing that D.R. did not  
8 realize that the email address was fraudulent.

9 8. On February 18, 2015, [REDACTED] Corporate Attorney for [REDACTED]  
10 International, provided me with a copy of the email chain that was received by D.R. on  
11 January 27, 2015. The email chain starts with an email that appears to be sent from K.C. to  
12 M.H. The email includes the following: "Per our conversation, attached is the wiring  
13 instructions. I will provide you with the support for this later. Let me know once is  
14 processed". That email appeared to have been sent January 27, 2015. The next email in the  
15 chain was the original email sent to [REDACTED] and the email he relied on to initiate the wire  
16 transfer. The email includes the following: "Process a wire of \$241,657.29 to the attached  
17 account information ASAP. This should be coded to Admin Expense. Send me the  
18 confirmation when completed".

19 9. On February 19, 2015, [REDACTED] provided me with a copy of the wire  
20 transfer confirmation for the wire transfer that D.R. initiated as a result of the fraudulent  
21 email. The confirmation shows that on January 27, 2015, \$241,657.29 was sent from the  
22 [REDACTED] bank account at Wells Fargo Bank, NA. The confirmation shows [REDACTED]  
23 [REDACTED] account in Vancouver, WA as the originator of the wire transfer. The  
24 confirmation shows that the wire transfer was sent to Citibank, N.A., located in Oakland,  
25 CA, to be deposited into account number \*2768. [REDACTED] Jr. is listed as the owner of  
26 that bank account.

27 10. On April 8, 2015, I received documents that were sent by Citibank, N.A.  
28 relating to account number \*2768. The statement for the account for January 26, 2015

1 through February 24, 2015 shows an incoming wire transfer on January 27, 2015 of  
2 \$241,657.29 from [REDACTED] International. That same statement shows two wire  
3 transfers out from that account. Both wire transfers are for \$100,000 each. One of the  
4 transfers occurred on January 28, 2015 and the other occurred on January 29, 2015. Citibank  
5 documents identify [REDACTED] Jr. from Henderson, NV 89012-2314 as the owner of the  
6 account.

7 11. The Citibank documents show that the \$100,000 wire transfer out of the  
8 Citibank account on January 28, 2015 was received by US Bank, NA account number \*7352,  
9 which belongs to [REDACTED]

10 12. The \$100,000 wire transfer out of Citibank Account Number \*2768 on January  
11 29, 2015 was sent to Toronto Dominion Bank account located in Toronto, Canada, belonging  
12 to John P Dey.

13 13. A week after the first email request for a wire transfer, D.R. (the controller)  
14 received an email requesting another wire transfer, this time for approximately \$367,00 to an  
15 account in Hong Kong. The controller then approached M.H.(the CFO) about the request  
16 and M.H. indicated that he was unaware of the request and had not received any emails from  
17 K.C. (the CEO) relating to the transfers. Both the controller and the CFO then approached  
18 the CEO about the emails and the fraudulent nature of the email requests was discovered.

19 14. On June 8, 2015, [REDACTED] was interviewed by FBI SAs Lance  
20 Shakespear and Zachary Carey. I have reviewed a report authored by SA Shakespear  
21 detailing the interview with [REDACTED] [REDACTED] advised the agents that he is the father of  
22 Mary Gilmore. [REDACTED] understood that Gilmore and her boyfriend, Rob Thompson, are  
23 involved with broker-type investments. [REDACTED] advised that Gilmore had [REDACTED] bank  
24 account information and Gil [REDACTED] and Thompson arranged for the transfer of \$241,657.29  
25 into [REDACTED] bank account. [REDACTED] also told SAs Shakespear and Carey that Gilmore and  
26 Thompson gave [REDACTED] instructions to make two separate \$100,000 wire transfers which  
27 included account numbers and bank names.  
28

1 15. On May 1, 2015, [REDACTED] was interviewed by FBI SAs Brian Barrow  
2 and Thom Vo. I have reviewed a report authored by SA Barrow detailing the interview of  
3 [REDACTED] told the agents she had met Mary Gilmore and Robin Thompson  
4 through her employment at La Quinta Inns and Suites. For approximately the past year,  
5 Gilmore and Thompson have been staying at the La Quinta where [REDACTED] works, in Temecula,  
6 CA. In January of 2015, Gilmore asked [REDACTED] to accept a wire transfer that would be coming  
7 from Gilmore's father, [REDACTED] in the amount of \$100,000. [REDACTED] understood that  
8 Gilmore had arranged for both the initial wire of money into [REDACTED] account and the  
9 transfer of money from Winter's account to [REDACTED] account.

10 16. [REDACTED] told the agents that Gilmore and Thompson gave [REDACTED] detailed instructions  
11 to make payments once [REDACTED] had received the \$100,000 into her bank account. [REDACTED] told the  
12 agents she had received an email from loancenter1@aol.com which included account  
13 information prior to the \$100,000 transaction. [REDACTED] also provided the agents with a copy of  
14 Gilmore's La Quinta hotel bill. The bill lists Gilmore's email address as  
15 loancenter1@aol.com.

16 17. [REDACTED] indicated that once the money was transferred to her account, Gilmore and  
17 Thompson directed her to pay for a number of items including, but not limited to an  
18 outstanding hotel bill for over \$18,000 and a bill for two separate storage rooms. Gilmore  
19 promised that she would pay [REDACTED] \$6,500 for her help with the \$100,000 transfer.

20 18. After being alerted to the fraud, Citibank attempted to recall the wire transfer.  
21 On October 20, 2015, I interviewed D.R. regarding Citibank's ability to recall some or all of  
22 the wire transfer. D.R. advised that Citibank was able to return a total of \$76,764.64 of the  
23 wire transfer. D.R. stated that the outstanding loss to [REDACTED] International was now  
24 \$164,892.65. D.R. indicated that his company continued to receive emails requesting wire  
25 transfers that are similar to the email discussed above, that are sent from a domain name that  
26 is almost identical to the [REDACTED] domain names except for the alteration of a single  
27 letter.  
28

1 19. I conducted an analysis of the initiating IP addresses for the emails that were  
2 sent to [REDACTED] controller. Both the first and second email requests are associated  
3 with an IP addresses owned by Tucow.com which is based in Toronto, Canada.

4 **SUBJECT EMAIL ACCOUNT AS INSTRUMENTALITY OF**  
5 **THE CRIMES**

6 20. Information provided by [REDACTED] indicates that the subject account was used as an  
7 instrumentality of the crimes. Gilmore has indicated that the subject email account is  
8 associated with her. Moreover, Gilmore used the subject email account to provide [REDACTED] with  
9 the information needed to execute wire transfers.

10 **BACKGROUND REGARDING AOL'S SERVICES**

11 21. In my training and experience, I have learned that AOL provides a variety of  
12 on-line services, including electronic mail ("e-mail") access, to the general public. AOL  
13 allows subscribers to obtain e-mail accounts at the domain name aol.com, like the e-mail  
14 account listed in Attachment A.

15 22. Subscribers obtain an account by registering with AOL. When doing so, e-  
16 mail providers like AOL ask the subscriber to provide certain personal identifying  
17 information. This information can include the subscriber's full name, physical address,  
18 telephone numbers and other identifiers, alternative e-mail addresses, and, for paying  
19 subscribers, means and source of payment (including any credit or bank account number). In  
20 my training and experience, such information may constitute evidence of the crimes under  
21 investigation because the information can be used to identify the account's user or users, and  
22 to help establish who has dominion and control over the account.

23 23. E-mail providers typically retain certain transactional information about the  
24 creation and use of each account on their systems. This information can include the date on  
25 which the account was created, the length of service, records of log-in (i.e., session) times  
26 and durations, the types of service utilized, the status of the account (including whether the  
27 account is inactive or closed), the methods used to connect to the account (such as logging  
28 into the account via AOL's website), and other log files that reflect usage of the account. In

1 addition, e-mail providers often have records of the Internet Protocol address ("IP address")  
2 used to register the account and the IP addresses associated with particular logins to the  
3 account. Because every device that connects to the Internet must use an IP address, IP  
4 address information can help to identify which computers or other devices were used to  
5 access the e-mail account, which can help establish the individual or individuals who had  
6 dominion and control over the account

7 24. In general, an e-mail that is sent to an AOL subscriber is stored in the  
8 subscriber's "mail box" on AOL servers until the subscriber deletes the e-mail. If the  
9 subscriber does not delete the message, the message can remain on AOL servers indefinitely.  
10 Even if the subscriber deletes the e-mail, it may continue to be available on AOL servers for  
11 a certain period of time.

12 25. When the subscriber sends an e-mail, it is initiated at the user's computer,  
13 transferred via the Internet to AOL's servers, and then transmitted to its end destination.  
14 AOL often maintains a copy of the e-mail sent. Unless the sender of the e-mail specifically  
15 deletes the e-mail from the AOL server, the e-mail can remain on the system indefinitely.  
16 Even if the sender deletes the e-mail, it may continue to be available on AOL's servers for a  
17 certain period of time.

18 26. A sent or received e-mail typically includes the content of the message, source  
19 and destination addresses, the date and time at which the e-mail was sent, and the size and  
20 length of the e-mail. If an e-mail user writes a draft message but does not send it, that  
21 message may also be saved by AOL but may not include all of these categories of data.

22 27. An AOL subscriber can also store files, including e-mails, address books,  
23 contact or buddy lists, calendar data, photographs, and other files, on servers maintained  
24 and/or owned by AOL. In my training and experience, evidence of who was using an e-mail  
25 account may be found in address books, contact or buddy lists, e-mail in the account,  
26 attachments to e-mails, including photographs and files, and photographs and files stored in  
27 relation to the account.



1 28. In some cases, e-mail account users will communicate directly with an e-mail  
2 service provider about issues relating to the account, such as technical problems, billing  
3 inquiries, or complaints from other users. E-mail providers typically retain records about  
4 such communications, including records of contacts between the user and the provider's  
5 support services, as well records of any actions taken by the provider or user as a result of  
6 the communications. In my training and experience, such information may constitute  
7 evidence of the crimes under investigation because the information can be used to identify  
8 the account's user or users.

9 **PAST EFFORTS TO OBTAIN THIS EVIDENCE**

10 29. This evidence has not been previously available to me or other agents. On  
11 June 18, 2015, I sent a preservation letter to AOL, requesting that they preserve all evidence  
12 related to the account, loancenter1@aol.com, under authority of Title 18, United States  
13 Code, Section 2703(f)(1), for a period of 90 days.

14 30. Witnesses in the investigation have connected the account,  
15 loancenter1@aol.com, to criminal activity as previously described. To date, the laptop  
16 believed to have been used to access the account, loancenter1@aol.com, has not been at the  
17 disposal of law enforcement to be searched.

18 **INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED**

19 31. Pursuant to Title 18, United States Code, Section 2703(g), this application and  
20 affidavit for a search warrant seeks authorization to permit AOL, and its agents and  
21 employees, to assist agents in the execution of this warrant. Once issued, the search warrant  
22 will be presented to AOL with direction that it identify the aol.com account described in  
23 Attachment A to this affidavit, as well as other subscriber and log records associated with the  
24 account, as set forth in Section I of Attachment B to this affidavit.

25 32. The search warrant will direct AOL to create an exact copy of the specified  
26 account and records.  
27  
28


1 33. I, and/or other law enforcement personnel will thereafter review the copy of  
2 the electronically stored data, and identify from among that content those items that come  
3 within the items identified in Section II to Attachment B, for seizure.

4 34. Analyzing the data contained in the forensic image may require special  
5 technical skills, equipment, and software. It could also be very time-consuming. Searching  
6 by keywords, for example, can yield thousands of "hits," each of which must then be  
7 reviewed in context by the examiner to determine whether the data is within the scope of the  
8 warrant. Merely finding a relevant "hit" does not end the review process. Keywords used  
9 originally need to be modified continuously, based on interim results. Certain file formats,  
10 moreover, do not lend themselves to keyword searches, as keywords, search text, and many  
11 common e-mail, database and spreadsheet applications do not store data as searchable text.  
12 The data may be saved, instead, in proprietary non-text format. And, as the volume of  
13 storage allotted by service providers increases, the time it takes to properly analyze  
14 recovered data increases, as well. Consistent with the foregoing, searching the recovered  
15 data for the information subject to seizure pursuant to this warrant may require a range of  
16 data analysis techniques and may take weeks or even months. All forensic analysis of the  
17 data will employ only those search protocols and methodologies reasonably designed to  
18 identify and seize the items identified in Section II of Attachment B to the warrant.

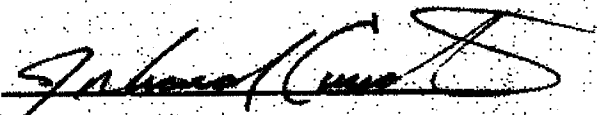
19 35. Based on my experience and training, and the experience and training of other  
20 agents with whom I have communicated, it is necessary to review and seize a variety of e-  
21 mail communications, chat logs and documents, that identify any users of the subject account  
22 and e-mails sent or received in temporal proximity to incriminating e-mails that provide  
23 context to the incriminating communications.  
24  
25  
26  
27  
28

1 **CONCLUSION**

2 36. Based on the forgoing, I request that the Court issue the proposed search  
3 warrant. This Court has jurisdiction to issue the requested warrant because it is "a court of  
4 competent jurisdiction" as defined by 18 U.S.C. § 2711. 18 U.S.C. §§ 2703(a), (b)(1)(A) &  
5 (c)(1)(A). Specifically, the Court is, "a district court of the United States that has jurisdiction  
6 over the offense being investigated." 18 U.S.C. § 2711(3)(A)(i). Pursuant to 18 U.S.C. §  
7 2703(g), the presence of a law enforcement officer is not required for the service or  
8 execution of this warrant. Accordingly, by this Affidavit and Warrant I seek authority for  
9 the government to search all of the items specified in Section I, Attachment B (attached  
10 hereto and incorporated by reference herein) to the Warrant, and specifically to seize all of  
11 the data, documents and records that are identified in Section II to that same Attachment.  
12

13   
14 Samuel A. Mantz, Affiant  
15 Special Agent  
16 Federal Bureau of Investigation  
17

18 SUBSCRIBED and SWORN to before me this 30 day of October, 2015.  
19

20   
21 J. RICHARD CREATURA  
22 United States Magistrate Judge  
23  
24  
25  
26  
27  
28

**ATTACHMENT A**

**Account to be Searched**

The electronically stored data, information and communications from January 1, 2015 to present, contained in, related to, and associated with, including all preserved data associated with: AOL, Inc. account:

**loancenter1@aol.com**

as well as all other subscriber and log records associated with the account, which are located at premises owned, maintained, controlled or operated by AOL, Inc., an e-mail provider headquartered at 22000 AOL Way, Dulles, VA 20166.

1  
2 **ATTACHMENT B**

3 **L. Section I - Information to be disclosed by AOL, Inc., for search:**

4 To the extent that the information described in Attachment A is within the possession,  
5 custody, or control of AOL, Inc., including any e-mails, records, files, logs, or information  
6 that has been deleted but is still available to AOL, Inc., or has been preserved pursuant to a  
7 request made under 18 U.S.C. § 2703(f) on June 18, 2015, AOL, Inc. is required to disclose  
8 the following information to the government for each account or identifier listed in  
9 Attachment A:

10 a. The contents of all e-mails associated with the account, including stored  
11 or preserved copies of e-mails sent to and from the account, draft e-mails, the source and  
12 destination addresses associated with each e-mail, the date and time at which each e-mail  
13 was sent, and the size and length of each e-mail;

14 b. All records or other information regarding the identification of the  
15 account, to include full name, physical address, telephone numbers and other identifiers,  
16 records of session times and durations, the date on which the account was created, the length  
17 of service, the IP address used to register the account, log-in IP addresses associated with  
18 session times and dates, account status, alternative e-mail addresses provided during  
19 registration, methods of connecting, log files, and means and source of payment (including  
20 any credit or bank account number);

21 c. The types of service utilized;

22 d. All records or other information stored at any time by an individual  
23 using the account, including address books, contact and buddy lists, calendar data, pictures,  
24 and files;

25 e. All records pertaining to communications between the Provider and any  
26 person regarding the account, including contacts with support services and records of actions  
27 taken.  
28

1 **II. Section II - Information to be seized by the government**

2 All information described above in Section I that constitutes fruits, contraband,  
3 evidence and instrumentalities of violations of Title 18 U.S.C. § 1343 (fraud by wire), those  
4 violations occurring January 1, 2015 through the present, including, for each account or  
5 identifier listed on Attachment A, information pertaining to the following matters:

6 a. Communications between the email account loancenter1@aol.com and  
7 the email address utilized by [REDACTED] regarding wire transfers; communications or  
8 information regarding the "spoofing" of email addresses; communications between Mary  
9 Gilmore and Robin Thompson regarding schemes to defraud; and communications made by  
10 Mary Gilmore or Robin Thompson regarding the intended or actual use of proceeds obtained  
11 by fraud.

12 b. All messages, documents, and profile information, attachments, or other  
13 data that serves to identify any persons who use or access the account specified, or who  
14 exercise in any way any dominion or control over the specified account;

15 c. Any address lists or buddy/contact lists associated with the specified  
16 account;

17 d. All subscriber records associated with the specified account, including  
18 name, address, local and long distance telephone connection records, or records of session  
19 times and durations, length of service (including start date) and types of service utilized,  
20 telephone or instrument number or other subscriber number or identity, including any  
21 temporarily assigned network address, and means and source of payment for such service)  
22 including any credit card or bank account number;

23 e. Any and all other log records, including IP address captures, associated  
24 with the specified account;

25 f. Any records of communications between AOL, Inc., and any person  
26 about issues relating to the account, such as technical problems, billing inquiries, or  
27 complaints from other users about the specified account. This to include records of contacts  
28 between the subscriber and the provider's support services, as well as records of any actions  
taken by the provider or subscriber as a result of the communications.

1  
2 **CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS RECORDS**  
3 **PURSUANT TO FEDERAL RULE OF EVIDENCE 902(11)**

4 I, \_\_\_\_\_, attest, under penalties of perjury under  
5 the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information  
6 contained in this declaration is true and correct. I am employed by AOL, and my official  
7 title is \_\_\_\_\_. I am a custodian of records for AOL. I state  
8 that each of the records attached hereto is the original record or a true duplicate of the  
9 original record in the custody of AOL, and that I am the custodian of the attached records  
10 consisting of \_\_\_\_\_ (pages/CDs/kilobytes). I further state that:

11 a. all records attached to this certificate were made at or near the time of the  
12 occurrence of the matter set forth, by, or from information transmitted by, a person with  
13 knowledge of those matters;

14 b. such records were kept in the ordinary course of a regularly conducted business  
15 activity of AOL; and

16 c. such records were made by AOL as a regular practice.

17 I further state that this certification is intended to satisfy Rule 902(11) of the Federal  
18 Rules of Evidence.

19  
20 \_\_\_\_\_  
21 Date Signature

# UNITED STATES DISTRICT COURT

for the  
Western District of Washington

In the Matter of the Search of  
(Briefly describe the property to be searched  
or identify the person by name and address)

Info associated with loancenter1@aol.com that is  
stored at premises controlled by AOL, Inc.

Case No.

MJ15-5191

## SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search  
of the following person or property located in the Western District of Washington  
(Identify the person or describe the property to be searched and give its location):

Please see Attachment A

The person or property to be searched, described above, is believed to conceal (Identify the person or describe the  
property to be seized):

Please see Attachment B for items to be seized.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or  
property.

YOU ARE COMMANDED to execute this warrant on or before

11/12/15  
(not to exceed 14 days)

☒ in the daytime 6:00 a.m. to 10 p.m.

☐ at any time in the day or night as I find reasonable cause has been  
established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property  
taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the  
place where the property was taken.

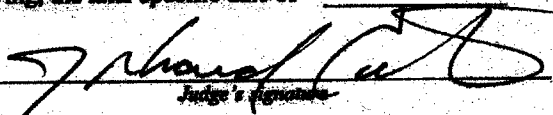
The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an  
inventory as required by law and promptly return this warrant and inventory to United States Magistrate Judge  
Any U.S. Magistrate Judge in Western Dist. of WA

(name)

☐ I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay  
of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be  
searched or seized (check the appropriate box) ☐ for \_\_\_\_\_ days (not to exceed 30).

☐ until, the facts justifying, the later specific date of \_\_\_\_\_

Date and time issued: 10/30/2015 10:30 am

  
Judge's signature

City and state: Tacoma, Washington

J. Richard Creatura, U.S. Magistrate Judge  
Printed name and title

USAO# 2015R00279



<b>Return</b>		
<b>Case No.:</b>	<b>Date and time warrant executed:</b>	<b>Copy of warrant and inventory left with:</b>
<b>Inventory made in the presence of:</b>		
<b>Inventory of the property taken and name of any person(s) seized:</b>		
<b>Certification</b>		
<p><i>I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.</i></p>		
<b>Date:</b> _____	_____ <i>Executing officer's signature</i>	
	_____ <i>Printed name and title</i>	

**ATTACHMENT A**

**Account to be Searched**

The electronically stored data, information and communications from January 1, 2015 to present, contained in, related to, and associated with, including all preserved data associated with: AOL, Inc. account:

**loancenter1@aol.com**

as well as all other subscriber and log records associated with the account, which are located at premises owned, maintained, controlled or operated by AOL, Inc., an e-mail provider headquartered at 22000 AOL Way, Dulles, VA 20166.

1  
2 **ATTACHMENT B**

3 **I. Section I - Information to be disclosed by AOL, Inc., for search:**

4 To the extent that the information described in Attachment A is within the possession,  
5 custody, or control of AOL, Inc., including any e-mails, records, files, logs, or information  
6 that has been deleted but is still available to AOL, Inc., or has been preserved pursuant to a  
7 request made under 18 U.S.C. § 2703(f) on June 18, 2015, AOL, Inc. is required to disclose  
8 the following information to the government for each account or identifier listed in  
9 Attachment A:

10 a. The contents of all e-mails associated with the account, including stored  
11 or preserved copies of e-mails sent to and from the account, draft e-mails, the source and  
12 destination addresses associated with each e-mail, the date and time at which each e-mail  
13 was sent, and the size and length of each e-mail;

14 b. All records or other information regarding the identification of the  
15 account, to include full name, physical address, telephone numbers and other identifiers,  
16 records of session times and durations, the date on which the account was created, the length  
17 of service, the IP address used to register the account, log-in IP addresses associated with  
18 session times and dates, account status, alternative e-mail addresses provided during  
19 registration, methods of connecting, log files, and means and source of payment (including  
20 any credit or bank account number);

21 c. The types of service utilized;

22 d. All records or other information stored at any time by an individual  
23 using the account, including address books, contact and buddy lists, calendar data, pictures,  
24 and files;

25 e. All records pertaining to communications between the Provider and any  
26 person regarding the account, including contacts with support services and records of actions  
27 taken.  
28

1 **II. Section II - Information to be seized by the government**

2 All information described above in Section I that constitutes fruits, contraband,  
3 evidence and instrumentalities of violations of Title 18 U.S.C. § 1343 (fraud by wire), those  
4 violations occurring January 1, 2015 through the present, including, for each account or  
5 identifier listed on Attachment A, information pertaining to the following matters:

6 a. Communications between the email account loancenter1@aol.com and  
7 the email address utilized by [REDACTED] regarding wire transfers; communications or  
8 information regarding the "spoofing" of email addresses; communications between Mary  
9 Gilmore and Robin Thompson regarding schemes to defraud; and communications made by  
10 Mary Gilmore or Robin Thompson regarding the intended or actual use of proceeds obtained  
11 by fraud.

12 b. All messages, documents, and profile information, attachments, or other  
13 data that serves to identify any persons who use or access the account specified, or who  
14 exercise in any way any dominion or control over the specified account;

15 c. Any address lists or buddy/contact lists associated with the specified  
16 account;

17 d. All subscriber records associated with the specified account, including  
18 name, address, local and long distance telephone connection records, or records of session  
19 times and durations, length of service (including start date) and types of service utilized,  
20 telephone or instrument number or other subscriber number or identity, including any  
21 temporarily assigned network address, and means and source of payment for such service)  
22 including any credit card or bank account number;

23 e. any and all other log records, including IP address captures, associated  
24 with the specified account;

25 f. any records of communications between AOL, Inc., and any person  
26 about issues relating to the account, such as technical problems, billing inquiries, or  
27 complaints from other users about the specified account. This to include records of contacts  
28 between the subscriber and the provider's support services, as well as records of any actions  
taken by the provider or subscriber as a result of the communications.

1  
2 **CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS RECORDS**  
3 **PURSUANT TO FEDERAL RULE OF EVIDENCE 902(11)**

4 I, \_\_\_\_\_, attest, under penalties of perjury under  
5 the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information  
6 contained in this declaration is true and correct. I am employed by AOL, and my official  
7 title is \_\_\_\_\_. I am a custodian of records for AOL. I state  
8 that each of the records attached hereto is the original record or a true duplicate of the  
9 original record in the custody of AOL, and that I am the custodian of the attached records  
10 consisting of \_\_\_\_\_ (pages/CDs/kilobytes). I further state that:

11 a. all records attached to this certificate were made at or near the time of the  
12 occurrence of the matter set forth, by, or from information transmitted by, a person with  
13 knowledge of those matters;

14 b. such records were kept in the ordinary course of a regularly conducted business  
15 activity of AOL; and

16 c. such records were made by AOL as a regular practice.

17 I further state that this certification is intended to satisfy Rule 902(11) of the Federal  
18 Rules of Evidence.

19  
20 \_\_\_\_\_  
21 Date Signature